

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

EDGAR RAMOS and DEREK
RAMOS,

Plaintiffs,

V.

ARAYA TRUCKING, LLC and
TESFAMIKAEL TESFALDET
ARAYA,

Defendants.

Case No: 3:20-cv-1317

PLAINTIFFS DEMAND TRIAL BY
JURY

COMPLAINT AT LAW

Edgar Ramos and Derek Ramos complain of defendants, Araya Trucking, LLC and Tesfamikael Tesfaldet Araya, as follows:

1. At all times relevant, Plaintiffs Edgar Ramos and Derek Ramos are residents of the State of Texas, USA.
2. At all times relevant, Defendant Araya Trucking, LLC is domiciled in the State of North Carolina, USA
3. At all times relevant, Defendant Tesfamikael Tesfaldet Araya is a resident of the State of North Carolina.
4. On July 13, 2020 at approximately 3:14 PM, Edgar Ramos was driving a 2006 Freightliner tractor-trailer eastbound in the right lane on I-70 near milepost 110 in Woodbury Township, Cumberland County, Illinois.
5. At that time and place, plaintiff Derek Ramos was a passenger in the 2006 Freightliner tractor-trailer operated by his father, Edgar Ramos.

6. At that time and place, Defendant Tesfamikael Tesfaldet Araya was a professional truck driver operating a 2006 Freightliner tractor-trailer eastbound in the right lane on I-70 near milepost 110.

7. At that time and place, Mr. Araya was acting within the scope and course of his agency relationship with Araya Trucking, LLC.

8. At that time and place, Mr. Araya was operating a vehicle owned by Araya Trucking, LLC with its permission.

9. At that time and place, Edgar Ramos was stopped in traffic waiting to merge into the left lane due to construction in the right lane.

10. At that time and place, Mr. Araya drove his vehicle into the rear end of Edgar Ramos's vehicle.

11. At the time and place, Defendants were negligent in that Mr. Araya:

- a. Failed to reduce speed to avoid an accident in violation of 625 ILCS 5/11-601(a); or
- b. Drove his vehicle too fast for conditions in violation of 625 ILCS 5/11-601(a); or
- c. Followed another vehicle more closely than was reasonable and prudent in violation of 625 ILCS 5/11-710; or
- d. Failed to keep a proper look-out for other vehicles that were in the roadway.

12. As a proximate result of Defendants' negligence, Plaintiffs suffered injuries of a personal and pecuniary nature.

WHEREFORE, Edgar Ramos and Derek Ramos demand judgment against defendants, Araya Trucking, LLC and Tesfamikael Tesfaldet Araya, for a sum of money in excess of the jurisdictional limit of this Court.

Respectfully submitted,

/s/ Michael T.Gill

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SUPREME COURT RULE 222 AFFIDAVIT

The undersigned, Michael T. Gill, having been duly sworn on oath, deposes and states that as of this date the total money damages sought in the above-captioned matter exceeds Fifty Thousand Dollars (\$50,000.00).

/s/ Michael T. Gill

Subscribed and Sworn to Before Me
This 9th day of December, 2020.

Margaret Mays
NOTARY PUBLIC

